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PATENT

CONF. NO. 2587

NOTICE OF ALLOWANCE DATE: 11/13/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Appln of:

VAREL et al.

Group Art Unit: 3682

Serial No.: 10/076,648

Examiner: T.R. Hannon

Filed: February 19, 2002

For: REMOVABLE MORTAR MIXER BEARING AND SEAL ASSEMBLY

REQUEST FOR STATUS OF PETITION FOR
RETROACTIVE LICENSE UNDER 35 USC §184

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

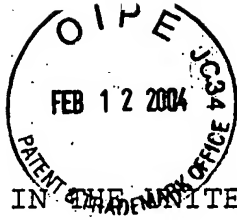
Sir:

According to counsel's records, a Petition for Retroactive License Under 35 USC §184, together with the requisite Petition fee of \$130, was filed on September 12, 2002 (copy attached). No action on the Petition has been received, as yet. Please advise when we may expect a decision on the Petition.

Respectfully submitted,

By: _____
HARVEY B. JACOBSON, JR.
Registration No. 20,851

JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004
Tel. (202) 638-6666
I.D. P67273US0
Date: January 8, 2004



Crystal Park 5
3rd Fl.- Rm. 3D11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In re the Appln of:

Edward A. VAREL et al.

Group Art Unit: 3682

Serial No.: 10/076,648

Filed: February 19, 2002

For: REMOVABLE MORTAR MIXER BEARING AND SEAL ASSEMBLY

PETITION FOR RETROACTIVE LICENSE
UNDER 35 USC §184

Assistant Commissioner of Patents
Washington, D.C. 20231
BOX DAC

Dear Sir:

It is requested that a retroactive foreign filing license be granted in connection with the above-identified U.S. patent application, for the following country:

Canada, filed February 25, 2002

In support of this request, undersigned counsel avers that the subject matter of the above U.S. patent application was not under a secrecy order at the time it was filed in Canada, and that it is not currently under a secrecy order.

Immediately upon it being brought to undersigned counsel's attention, on September 5, 2002, that the corresponding Canadian application should not have been filed until after receipt of a filing receipt from the U.S. Patent and Trademark Office indicating the grant of a foreign filing license for the above-identified U.S. application, undersigned counsel prepared the instant Petition.

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At the time of filing the Canadian patent application on January 26, 2001, undersigned counsel did not appreciate the need for a foreign filing license directed thereto inasmuch as the technology covered by such invention, i.e., removable mortar mixer bearing and seal assembly, had no application in connection with any subject matter which would be considered to involve national security.

Undersigned counsel further avers that the error in proceeding with filing the corresponding Canadian application without awaiting receipt of the required license under §5.11 occurred without deceptive intent on the part of the Applicants or undersigned counsel.

The processing fee of \$130.00, as required under 37 CFR §1.17(h), is attached.

Favorable action commensurate with the foregoing is requested.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By: HARVEY B. JACOBSON, JR.
Reg. No. 20,851

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Atty. Dkt. No.: P67273US0
HBJ/lhs
Dated: September 12, 2002



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JH Ref P67273USO Today's Date 9-12-02
Serial/Patent No. 10/076,648
Applicant, Patentee, Assignee VAREL et al
Filing Date/Patent Date February 19, 2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|---|---|
| <input type="checkbox"/> <u> </u> pp. Specification & <u> </u> Claims | <input type="checkbox"/> Response to Office Action |
| <input type="checkbox"/> Combined Declaration, Power of Attorney | <input type="checkbox"/> Disclosure Statement-IDS |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Copies of References |
| <input type="checkbox"/> Rule 53 (b) Application | <input type="checkbox"/> Request for Refund |
| <input type="checkbox"/> Rule 53 (d)/RCE Application | <input type="checkbox"/> Request for Corrected Filing Receipt |
| <input type="checkbox"/> Claim to Priority and Certified Copy | <input type="checkbox"/> Petition for XOT |
| <input type="checkbox"/> Substitute <input type="checkbox"/> Subsequent Declaration | <input type="checkbox"/> Notice of Appeal/Brief |
| <input type="checkbox"/> Maintenance Fee | <input type="checkbox"/> Sequence Listing |
| <input type="checkbox"/> Drawings <u> </u> Sheets <u> </u> Formal <u> </u> Information <u> </u> Fee Transmittal | <input checked="" type="checkbox"/> Other Petition for |
| <input type="checkbox"/> Assignment/Change of Name | <input type="checkbox"/> Retroactive License |
| <input type="checkbox"/> Small Entity Declaration | <input type="checkbox"/> JPH 11/01 |

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JACOBSON HOLMAN PLLC
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

JH 11/01 DUE DATE
Person filing LHS

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JACOBSON
HOLMAN

PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W. • WASHINGTON, D.C. 20004-2201

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DATE	IN PAYMENT FOR	AMOUNT																											
09-17-02	<table><tr><td>FILING FEE</td><td>ASSIGNMENT FEE</td><td></td></tr><tr><td>ISSUE FEE</td><td>APPEAL FEE</td><td>130.00</td></tr><tr><td>AMENDMENT</td><td>MISCELLANEOUS</td><td></td></tr><tr><td colspan="3">APPLICANT</td></tr><tr><td colspan="3">STONE CONSTRUCTION EQUIPMENT</td></tr><tr><td>SER. No.</td><td>MARK</td><td></td></tr><tr><td>10/076,648</td><td>11's</td><td></td></tr><tr><td>OUR FILE No. - 067273450</td><td>WRITER</td><td></td></tr><tr><td>CHARGE TO</td><td></td><td></td></tr></table>	FILING FEE	ASSIGNMENT FEE		ISSUE FEE	APPEAL FEE	130.00	AMENDMENT	MISCELLANEOUS		APPLICANT			STONE CONSTRUCTION EQUIPMENT			SER. No.	MARK		10/076,648	11's		OUR FILE No. - 067273450	WRITER		CHARGE TO			130.00
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P.O. 59962

CLIENTS FILE

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September 12 XX2002

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P.O. 59962

Not Over \$3,000.00

\$130.00

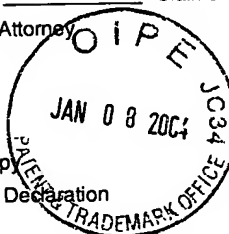


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JH Ref P67273USO Today's Date 1-8-04
Serial/Patent No. 10/076,648
Applicant, Patentee, Assignee VAREL et al
Filing Date/Patent Date February 19, 2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|---|---|
| <input type="checkbox"/> _____ pp. Specification & _____ Claims | <input type="checkbox"/> Response to Office Action |
| <input type="checkbox"/> Combined Declaration, Power of Attorney | <input type="checkbox"/> Disclosure Statement-IDS |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Copies of References |
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| <input type="checkbox"/> Drawings _____ Sheets _____ Formal _____ Informal | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Assignment/Change of Name | <input checked="" type="checkbox"/> Other Req. for Status of |
| <input type="checkbox"/> Small Entity Declaration | Petition for Retroactive |
| <input type="checkbox"/> Check for \$ _____ | License |



☒ Other Req. for Status of
Petition for Retroactive
License

JACOBSON HOLMAN PLLC
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

JH 11/01 DUE DATE _____
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